

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EMED TECHNOLOGIES
CORPORATION,

Plaintiff,

v.

REPRO-MED SYSTEMS, INC. D/B/A
RMS MEDICAL PRODUCTS and
ANDREW I SEALFON,

Defendants.

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Case No. 2:18-CV-00163-JRG-RSP

ORDER

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation (Dkt. No. 26) by Magistrate Judge Payne, which recommends that Defendants' Motion to Dismiss (Dkt. No. 7) be denied. The Magistrate Judge recommended that the present action not be dismissed, but transferred to the Eastern District of California, Sacramento Division. No party has objected to the Report & Recommendation.

Having reviewed the Report and Recommendation (Dkt. No. 26), Defendants' motion (Dkt. No. 7) and reply (Dkt. No. 15), and Plaintiff's response (Dkt. No. 12) and sur-reply (Dkt. No. 16), the Court concludes that the Report & Recommendation is correct and is hereby **ADOPTED**. Accordingly, Defendants' Motion to Dismiss is **DENIED** and the Clerk of Court is directed to transfer this action to the Eastern District of California, Sacramento Division.

So ORDERED and SIGNED this 28th day of February, 2019.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE